

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOHN B. ROBERTS, an individual	)	
	)	
Plaintiff,	)	NO. C05-5476JKA
	)	
v.	)	
	)	
CITY OF TACOMA, a municipal	)	
Governmental entity,	)	
	)	
Defendant.	)	
_____	)	

**STIPULATION OF DISMISSAL AND ORDER**

Pursuant to Federal Rule of Civil Procedure 41(1)(ii) the parties jointly stipulate and request that the above action be DISMISSED WITH PREJUDICE, with each party to bear their own costs and attorneys' fees.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

JOAN MELL, WSBA #21319  
Attorney for the Plaintiff  
Miller Quinlan & Auter  
1019 Regents Blvd Ste 204  
Fircrest, WA 98466-6037  
(253) 565-5019

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

CHERYL CARLSON, WSBA #15914  
Assistant City Attorney  
Attorney for the Defendant  
Office of the City Attorney  
747 Market Street, Rm #1120  
Tacoma, WA 98402  
(253) 591-5632

**ORDER**

AND NOW, this 26th day of September 2006, upon the parties' joint stipulation and request and pursuant to Federal Rule of Civil Procedure 41, it is hereby ORDERED that this action is DISMISSED WITH PREJUDICE, with each party to bear their own costs and attorneys' fees.

BY THE COURT:

**/s/ J. Kelley Arnold**  
THE HONORABLE J. KELLEY ARNOLD  
UNITED STATES DISTRICT COURT JUDGE

Presented by:

ELIZABETH A. PAULI, Acting City Atty.

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CHERYL F. CARLSON, WSB #15914  
Assistant City Attorney  
Of Attorneys for Defendants

Approved as to Form:

MILLER QUINLAN & AUTER

By 

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JOAN K. MELL, WSB #21319  
Of Attorneys for Plaintiff